



**IN THE UNITED STATES PATENT
AND TRADEMARK OFFICE**

Serial No. : 10/526,822
Applicants : Hiroyuki ASADA et al.
Filed : March 4, 2005
For : CLEAR OPHTHALMIC SOLUTION
COMPRISING LATANOPROST AS
ACTIVE INGREDIENT
Art Unit : 1612
Examiner : Zohreh A. Fay
Docket No. : 05136/HG
Confirm. No.: 1106
Customer No.: 01933

NOTICE OF APPEAL

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

MAIL STOP AF

S I R :

Applicants hereby appeal from the decision dated July 25, 2008 of the Examiner finally rejecting Claims 1,4,5 and 8 to 10.

The term for filing the NOTICE OF APPEAL is extended three months by a PETITION FOR EXTENSION OF TIME filed concomitantly herewith, to expire on January 25, 2009.

A Form PTO-2038 in the amount of \$540.00 is enclosed herewith in payment of the Appeal fee.

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Respectfully submitted,

Richard S. Barth
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**EXPEDITED PROCEDURE
REPLY UNDER 37 CFR 1.116
TECHNOLOGY CENTER 1600**

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Dorothy DeFrancesco

In the event that this Paper is late
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